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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10565164	1/19/2006	CHUNG ET AL.	Q92717

EXAMINER

ROBERT M. KELLY

ART UNIT	PAPER
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1633 20090501

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

It is noted that petition of 3/10/08 to accept color drawings is now accepted.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT M. KELLY whose telephone number is (571)272-0729. The examiner can normally be reached on M-F, 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Woitach can be reached on (571) 272-0739. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert M. Kelly/
5/1/09

/Joseph T. Woitach/
Supervisory Patent Examiner, Art Unit 1633

/Robert M Kelly/
Primary Examiner, Art Unit 1633

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

It is noted that Applicant has complied with the requirements for acceptance of color drawings on 3/10/08, and hence, the objection to such is withdrawn.

Therefore, the objections to the drawings are withdrawn.

Applicant's amendments to the claims overcomes all objections and rejections against such claims, and hence, all rejections and objections are withdrawn.

In addition it is noted that the polyinositol compounds of the invention are not obvious or anticipated by the Art. At best, the Art contains reference to polyinositol compounds, but such reference does not refer to a polymer of inositol, but a subset of distinct inositol derivatives which are found together (e.g., Tomera, et al. (1993) J. Burn. Care. Rehabil., 14(6): 639-52, ABSTRACT ONLY). Moreover, no art has been found to indicate that the polyinositol compounds of the invention would increase transfection of genes. In addition, while U.S. Patent No. 6,187,335 teaches the optional use of phosphatidyl headgroups in liposomes for transfection, no reasonable expectation of success is found in the Art to provide similar forms of polyinositol, because the increased negative charge is antithetical to increased transfection, because the cell membrane is typically negatively charged and would repulse the increased negative charge. Hence, Applicant has contributed to advance the art by demonstration that polyinositol polymer compounds may increase transfection. Further, given the infinite number of compounds which are possible, the claims are not obvious, and the claims are found allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 1-12 are allowed.

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/Robert M Kelly/
Primary Examiner, Art Unit 1633